

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

RICARDO JOSE SUAREZ,

10-CV-532-SU

Petitioner,

ORDER

v.

STATE OF OREGON,

Respondent.

RICARDO JOSE SUAREZ
07480-091
FCI - FORT WORTH
P.O. Box 15330
Fort Worth, TX 76119

Plaintiff, *Pro Se*

BROWN, Judge.

Magistrate Judge Patricia Sullivan issued Findings and Recommendation (#4) on July 29, 2010, in which she recommends the Court deny Petitioner's Writ of Coram Nobis Motion to Vacate Sentence (#2) and dismiss this matter. Petitioner filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*).

This Court has carefully considered Petitioner's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Sullivan's Findings and Recommendation (#4) and, therefore, **DENIES** Petitioner's Writ of Coram Nobis Motion to Vacate Sentence (#2) and **DISMISSES** this

matter.

IT IS SO ORDERED.

DATED this 7th day of October, 2010.

ANNA J. BROWN
United States District Judge